AMENDMENTS TO THE CLAIMS

Claims 1-18 (Canceled)

19. (New) A method for expression of one or more gene in a plant of the genus Tagetes comprising utilizing one or more promoter selected from the group consisting of

A) EPSPS promoter,

B) B gene promoter,

C) PDS promoter, and

D) CHRC promoter,

with the proviso that genes from plants of the genus Tagetes which are expressed in wild-type plants of the genus Tagetes by the promoter are excluded.

20. (New) The method according to claim 19, wherein expression takes place specifically in flowers.

21. (New) The method according to claim 20, wherein expression takes place specifically in petals.

22. (New) The method according to claim 19, wherein the EPSPS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 1, 2 or 3 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 1, 2 or 3 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 1, 2 or 3 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

23. (New) The method according to claim 19, wherein the B gene promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 4, 5 or 6 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 4, 5 or 6 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 4, 5 or 6 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

24. (New) The method according to claim 19, wherein the PDS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 7, 8, 9 or 10 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

25. (New) The method according claim 19, wherein the CHRC promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 11, 12, 13 or 14 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

26. (New) A genetically modified plant of the genus Tagetes, comprising a genetic modification leading to an increasing or causing of the expression rate of at least one gene in comparison with the wild-type plant and being due to regulation of expression of the gene in the plant by one or more promoter selected from the group consisting of EPSPS promoter, B gene promoter, PDS promoter, and CHRC promoter.

27. (New) The genetically modified plant according to claim 26, wherein the regulation of the expression of a gene in the plant is achieved by means of one or more promoter selected from the group consisting of EPSPS promoter, B gene promoter, PDS promoter, and CHRC promoter, in that

a) the one or more promoter is inserted into the genome of the plant such that expression of one or more endogenous gene takes place under the control of the inserted promoter or

b) one or more gene is inserted into the genome of the plant such that expression of one or more of the inserted gene takes place under the control of an endogenous promoter selected from the group consisting of EPSPS promoter, B gene promoter, PDS promoter, and CHRC promoter or

c) one or more nucleic acid construct comprising at least one promoter selected from the group consisting of EPSPS promoter, B gene promoter, PDS promoter, and CHRC promoter and, functionally linked, one or more gene to be expressed is inserted into the plant.

28. A genetically modified plant of the genus Tagetes, comprising a promoter selected from the group consisting of EPSPS promoter, B gene promoter, PDS promoter, and CHRC promoter and, functionally linked, a gene to be expressed, with the proviso that genes from plants of the genus Tagetes, which are expressed in wild-type plants of the genus Tagetes by the respective promoter, are excluded.

29. (New) The method according to claim 22, wherein expression takes place specifically in flowers.

30. (New) The method according to claim 29, wherein expression takes place specifically in petals.

31. (New) The method according to claim 23, wherein expression takes place specifically in flowers.

32. (New) The method according to claim 31, wherein expression takes place specifically in petals.

33. (New) The method according to claim 24, wherein expression takes place specifically in flowers.

34. (New) The method according to claim 33, wherein expression takes place specifically in petals.

35. (New) The method according to claim 25, wherein expression takes place specifically in flowers.

36. (New) The method according to claim 35, wherein expression takes place specifically in petals.

37. (New) The plant according to claim 26, wherein the EPSPS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 1, 2 or 3 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 1, 2 or 3 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 1, 2 or 3 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

38. (New) The plant according to claim 26, wherein the B gene promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 4, 5 or 6 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 4, 5 or 6 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 4, 5 or 6 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

39. (New) The plant according to claim 26, wherein the PDS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 7, 8, 9 or 10 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

40. (New) The plant according claim 26, wherein the CHRC promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 11, 12, 13 or 14 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

41. (New) The plant according to claim 28, wherein the EPSPS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 1, 2 or 3 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 1, 2 or 3 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 1, 2 or 3 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

42. (New) The plant according to claim 28, wherein the B gene promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 4, 5 or 6 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 4, 5 or 6 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 4, 5 or 6 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

43. (New) The plant according to claim 28, wherein the PDS promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 7, 8, 9 or 10 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 7, 8, 9 or 10 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).

44. (New) The plant according claim 28, wherein the CHRC promoter comprises

1) a nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 or

2) a sequence derived from these sequences by substitution, insertion or deletion of nucleotides, which has an identity of at least 60% at nucleic acid level with the respective sequence of SEQ ID NO: 11, 12, 13 or 14 or

3) a nucleic acid sequence which hybridizes with the nucleic acid sequence of SEQ ID NO: 11, 12, 13 or 14 under stringent conditions or

4) functionally equivalent fragments of the sequences under 1), 2) or 3).